
3.0 TYPICAL CONDITIONS

The range of design treatments available for a recreational trail system includes off-road multi-use pathways and on-road bicycle lanes, wide curb lanes, paved shoulders or shared lanes. Also included among these treatments is bicycle route signage designed to alert motorists of increased bicycling activity and to designate specific bicycle routes.

It should be noted that the Class I, II and III designations that the County previously used for bicycle facilities are no longer commonly used. These classes have been replaced by the more descriptive conditions listed below:

3.1 MULTI-USE PATH

Multi-use paths (formerly designated as Class I) are special use facilities which provide physical separation from motorized traffic (see Figure 3-1). In general, these paths are intended to supplement the roadway network and provide access to otherwise inaccessible areas. However, they are also often utilized within the public right-of-way parallel to roadways. Typically, multi-use paths are about 10' wide paved surfaces to allow two-way traffic.

3.2 BICYCLE LANE

Bicycle lanes (formerly designated as Class II) are one-way facilities in the direction of traffic flow that use a portion of a roadway shared with motor vehicles. They are designated by signing, striping and pavement markings to indicate their exclusive use by bicyclists (see Figures 3-2 and 3-3).

3.3 WIDE CURB LANE

Wide curb or outside lanes are on-street facilities in which bicyclists and motor vehicles share the same travel lane. Where prescribed, these outside lanes should be a minimum of 14' wide (see Figure 3-4). These facilities are useful where bicycle lanes are warranted but are prevented due to physical constraints.

3.4 PAVED SHOULDER

Paved shoulders are not part of the motor vehicle travel lane. As such, they are separated from the outside travel lane by an edge stripe. When these facilities are part of a designated bike route system, parking should be prohibited on such shoulders except in the event of an emergency. Paved shoulders as bicycle facilities have the widest application in rural areas.

3.5 SHARED LANE

Shared lane facilities exist when bicyclists and motor vehicles share the same travel lane on a roadway. Shared lanes typically are 12' wide or less (see Figure 3-5). These facilities are most common on neighborhood streets and rural roads and are preferably reinforced by signage which increases driver awareness of bicycles.

3.6 BICYCLE ROUTE

As mentioned previously, bicycle routes (formerly Class III facilities) are identified only by signage which directs bicyclists along preferred routes to specific destinations. Bike route signage can be established on both multi-use paths and along bike lanes, paved shoulders, wide curb lanes or shared travel lanes. Therefore it is recommended that bike route signage be utilized as part of the comprehensive recreational trail networks proposed within this study.

It has been found that the range of abilities for bicyclists can be condensed into three groups. These are:

- *Group A - advanced or experienced cyclists*
- *Group B - basic or casual adult cyclists*
- *Group C - child bike riders*

With the focus of this study on family recreation opportunities, the requirements of Group B and C have been planned for. These riders prefer low speed, low-traffic volume streets or designated bicycle facilities such as bike lanes or multi-use paths. Both groups will also adapt well to usable shoulders on rural roadways.

3.7 NON-COUNTY PARTNERSHIPS

Despite a couple of notable exceptions locally (the Peanut Line and Lehigh Trail in Amherst), the public sentiment regarding family-oriented recreational trails is to explore as many off-road linkages as possible. To accomplish this, the County will have to form partnerships with some non-county entities. A summary of the anticipated process to initiate these partnerships follow:

3.7.1 UTILITY CORRIDORS

The various snowmobile clubs active in Erie County commonly utilize these corridors as part of their network of trails. Sharing paved, multi-use pathways with snowmobiles is not considered to be wise from either a maintenance or a safety perspective. However, it could be possible in some areas to expand the use agreement for the utility corridor and develop multi-use paths adjacent to the snowmobile trails. The snowmobile trails can also be shared by equestrian groups.

GAS LINES

- *National Fuel*

The majority of the utility corridors used by National Fuel is under private ownership and used by National Fuel through easements. To use any privately owned land permission must be granted by the landowner. National Fuel does however own a portion of corridors in Erie County, mostly in the Lancaster and Clarence areas. A check of County Tax Records will reveal if a proposed corridor is owned by National Fuel or is under private ownership. If it is determined that the proposed land is owned by National Fuel, a written request must be submitted to the Land Department at National Fuel. The request would state the intended use and location. Once this information is submitted to the Land Department, an internal proposal would be compiled and a decision would be made formally accepting or denying the request.

POWER LINES

- *National Grid (formerly known as Niagara Mohawk)*

Due to security and liability concerns it is National Grid's policy not to invite any third parties to use their land. However, permission may still be granted in rare instances. Before an application would be accepted, the County would first have to acquire all the necessary insurance, proof of consent from all neighboring landowners, and pay all fees associated with the application. Once all three prerequisites are met, the application would then be submitted to the Real Estate Office in the City of Buffalo where an official decision will be made.

3.7.2 RAILROAD CORRIDORS

There are two scenarios in which railroad corridors can be utilized for recreational trails. They are described below:

ABANDONMENT (RAILS-TO-TRAILS)

· *The first step to building a Rail-to-Trail multi-use path is to determine ownership and if the corridor is abandoned. A request for Abandonment must be submitted and accepted by the Surface Transportation Board in order for a railroad corridor to be considered abandoned. The Status of abandonment can be determined by contacting the railroad company or through the rail office in the State Department of Transportation. After abandonment the railroad company usually removes the tracks and ties for salvage. Municipalities have the first opportunity to purchase these abandoned corridors from the railroad which can then be surfaced with asphalt, crushed stone or another material appropriate for the intended trail use. Occasionally the railroad companies leave the bridges and tunnels intact. Therefore the new owner would only have to add wood decking and other appropriate features.*

EASEMENT (RAILS-WITH-TRAILS)

· *Many communities have started to team with railroad companies to construct a trail that runs alongside active tracks. In most cases, a full easement is granted for the*

use of the land. The trail can usually be incorporated into the county 'umbrella policy' to alleviate the railroad of liability. Similar to an easement is 'railbanking'. When a railroad announces its intention to abandon a corridor, interested groups or agencies can apply to the Surface Transportation Board to have the corridor railbanked and used in the interim as a trail.

There is one specific example of potential railroad corridor acquisition that relates to the proposed recreation trails outlined in this study. The Buffalo and Pittsburgh Railroad, Inc. owns a corridor that runs from Salamanca to Buffalo (see item 19 on Figure 4-9). The Railroad company had filed an abandonment exemption with the federal registry. A number of companies that reside on the line protested. Also the United States Department of Energy and the New York State Energy Research and Development Authority protested the abandonment and the application was denied in 1998. If it was not denied the Railroad company probably would have removed the track and ties and might have sold the corridor property. Since it was denied, the railroad company has left the track and ties in place. If the company gave permission to use the corridor, it would be up to the county to remove or move these items. The Colden County Rails to Trails had requested a public use condition as well as a request for interim trail use. To date it has not been determined if this has been granted.

3.7.3 LOCAL AND STATE ROAD RIGHT-OF- WAYS

It has already been stated that one of the primary objectives of this planning initiative is to utilize county roads whenever practical. The philosophy is to develop these county road linkages as extensions of the park system. However, in some areas, utilizing either local or state road right-of-ways as linkages makes the most sense. Generally, successful partnerships for bicycle facilities within these areas will be determined by the ability of the jurisdictions involved to resolve maintenance and liability issues.

3.8 MAINTENANCE

The jurisdiction(s) responsible for the maintenance of planned bicycle facilities should be established prior to construction. In addition, the annual costs of maintaining these facilities has to be budgeted for. Neglecting routine maintenance will eventually create bicycle facilities that are undesirable and unsafe. Deteriorating facilities will eventually become a liability for the county.

Broken glass, sand, litter and fallen leaves often accumulate on multi-use pathways, bike lanes and paved shoulders. Therefore, as a minimum, regular maintenance should be provided to sweep the debris from bicycle facilities. If multi-use pathways are to be cleared of snow, then this should be done by plowing. De-icing agents and abrasives can damage bicycles and create potentially unsafe conditions.

Yearly inspections of all bicycle facilities should also be conducted. These inspections should focus on the following items:

- *Surface repairs - small bumps, cracks or potholes*
- *Pavement edges - should be uniform and not have abrupt drop-offs*
- *Vegetation - remove overgrown plant material that is encroaching onto bikeways and inhibiting both maneuverability and sight lines*

Maintenance requirements can be reduced through proper planning. Good edge treatments and adequate base materials will increase the longevity of paved surfaces. Placing plant materials a sufficient distance from bikeways will minimize encroachment problems. Additionally, some communities have initiated “adopt-a-trail” programs where civic groups or other organizations take responsibility for some routine maintenance. As in all agreements, the responsibilities of any organization interested in this program should be clearly spelled out.

YEARLY INSPECTIONS OF ALL BICYCLE FACILITIES SHOULD ALSO BE CONDUCTED. THESE INSPECTIONS SHOULD FOCUS ON THE FOLLOWING ITEMS:

- *Surface repairs - small bumps, cracks or potholes*
- *Pavement edges - should be uniform and not have abrupt drop-offs*
- *Vegetation - remove overgrown plant material that is encroaching onto bikeways and inhibiting both maneuverability and sight lines*

3.9 LIABILITY

The Bicycle Federation of America report titled Liability Aspects of Bikeway Designation presents a compelling argument for reducing potential of increased public liability as it relates to bikeways.

Several points are presented here:

- *Bicyclists have a right to use the road and the local highway agency has a responsibility to make it as safe for bicyclists as it does for motorists. Because the presence of bicyclists can be predicted, extra need for safety may be plainly apparent at some locations and thus require greater care and attention than would be the case if bicyclists were absent.*
- *The duty to provide a reasonable safe highway for public use remains with the designated government agency. That agency has a responsibility to maintain the highway, inspect it for defects and hazards and to remove any such hazards or provide some warning of the defect to highway users.*
- *Most importantly, the designation of bikeways will not affect the government highway agency potential liability because the liability already exists for providing a safe environment for bicyclists, so long as they are not expressly forbidden from using the road. It is in the best interest of the highway agency to comply with applicable laws, guidelines, and recommended procedures relating to the design, construction, operation and maintenance of bikeways as a means of reducing the risk of liability for bicyclists.*

The development of bikeways thus has the potential for reducing liability because properly developed bike routes should have the net effect of reducing accidents involving bicyclists. Reducing the number of accidents reduces liability.

“Properly developed” is a key issue for Erie County. As long as the rationale is justified on how or why a specific improvement was designed then there is limited liability for design to the county. Any new facilities will be designed to industry standards and guidelines to the fullest extent possible. However, it should be noted, in many cases involving development of trail facilities into existing site conditions (as opposed to new build), it is not always feasible to follow design guidelines exactly and compromises sometimes have to be made.